

## **REMARKS**

Claims 1-17 are pending in the application. Claims 1-17 have been rejected.

Claims 1-17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Valys, U.S. Patent No. 6,549,914 (Valys) in view of Coss et al., U.S. Patent No. 6,154,775 (Coss).

The present invention generally relates to dynamically generating a list of applications on an individual machine that a firewall application should enable access to the internet by default is provided. The process is based upon an assumption that applications installed during the factory install process are safe and have not had a chance to be modified by a Trojan since the machine has not yet been connected to the internet. The list is generated via registering applications during factory installation and expecting firewall application providers to scan this list of registered applications during the installation or setup of the firewall application and to add all applications in the list to the list of default trusted applications.

Valys discloses a method for preloading of an image in a computer system. The method includes statistically analyzing a bandwidth requirement of computer readable files to be downloaded to a target computer during a software download portion of a computer manufacturing process. The files are ordered into an ordered list of files as a function of the analyzed bandwidth requirements. Lastly, files from the ordered list of files are selected for inclusion in a preload image as a function of prescribed manufacturing criteria.

In Valys, there is no disclosure or suggestion of providing an identifier for a software application to a list of trusted applications during a factory install process, much less where the identifier is added to the list of trusted applications to represent an application which is not subject to malicious modification based upon an assumption that applications installed during the factory install process are safe, as is required by claims 1, 8 and 15. Coss does not address this deficiency.

Coss discloses a computer network firewalls which include features for increased processing efficiency. Coss discloses providing dynamic rules which are included within access rules for processing along with the access rules. The dynamic rules can include unique, current

information such as specific source and destination port numbers. (See e.g., Coss, Col. 8, lines 28 – 39.)

As with Valys, there is no disclosure or suggestion in Coss of providing an identifier for a software application to a list of trusted applications during a factory install process, much less where the identifier is added to the list of trusted applications to represent an application which is not subject to malicious modification based upon an assumption that applications installed during the factory install process are safe, as is required by claims 1, 8 and 15.

More specifically, Valys and Coss, taken alone or in combination, do not teach or suggest a method for pre-trusting applications for a firewall application where the method includes adding an identifier for the software application to a list of trusted applications during a factory install process, much less where the identifier is added to the list of trusted applications to represent an application which is not subject to malicious modification based upon an assumption that applications installed during the factory install process are safe, all as required by Claim 1 and as substantially required by claims 8 and 15. Accordingly, Claims 1, 8 and 15 are allowable over Valys and Coss. Claims 2-7 depend from Claim 1 and are allowable for at least this reason. Claims 9-14 depend from Claim 8 and are allowable for at least this reason. Claims 16 and 17 depend from Claim 15 and are allowable for at least this reason.

### CONCLUSION

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the examiner is requested to telephone the undersigned at 512-338-9100.

The Commissioner is authorized to deduct any additional fees, which may be necessary, and to credit any overpayment to Deposit Account 502264.

I hereby certify that this correspondence is being electronically submitted to the COMMISSIONER FOR PATENTS via EFS on September 24, 2008.

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Respectfully submitted,

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